

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JASON WAYNE HURST, )  
 )  
Petitioner, )  
 )  
v. ) 1:10CV725  
 )  
KENNETH LASSITER, )  
Warden, Central Prison, )  
Raleigh, North Carolina, )  
 )  
Respondent. )

**JUDGMENT**

For the reasons set forth in the Memorandum Opinion and Order  
filed contemporaneously with this Judgment,

IT IS HEREBY ORDERED AND ADJUDGED that Respondent's Motion for  
Summary Judgment (Doc. 17) is GRANTED and this action is DISMISSED  
WITH PREJUDICE.

Petitioner has made a sufficiently substantial showing of the  
denial of a constitutional right under 28 U.S.C. § 2253(c)(2) to  
warrant the grant of a certificate of appealability with respect to  
the issue of whether the juror's contact with her father violated  
Petitioner's Sixth Amendment rights under the United States  
Constitution (Claim I). A certificate of appealability is therefore  
issued on this question. 28 U.S.C. § 2253(c)(3).

/s/ Thomas D. Schroeder  
United States District Judge

March 31, 2013